

### **Remarks**

The Remarks previously submitted are incorporated herein as follows:

With respect to the drawings, Applicant will not attempt to use color drawings. The Examiner notes that the second horizontal end 24 is not shown in the original drawings. The undersigned's file copy shows numeral 24 in Figures 1 and 2. In any event, a new set of informal drawings are submitted herewith.

The rejection of claims 1 – 8 under 35 U.S.C. 112 is noted, and claim 1 has been amended to remove that rejection.

The rejection of claims 1 – 8 under 35 U.S.C. 103(a) as being unpatentable over Hesseltine (U.S. Design Patent 317,943) in view of Schutt (U.S. Patent 1,709,041) and again the rejection of claims 1 – 8 as being unpatentable over Fenton (U.S. Patent 692,841) in view of Schutt (U.S. Patent 1,709,041) is respectfully traversed.

Applicants invention is a modular or knock-down sign. None of the references fall into that category. Hesseltine appears to be a metal display sign with the lower horizontal member and the two upreaching members formed as a single member. It may be that the upper horizontal member is rigidly secured to the upreaching members.

Schutt is a "down marker" used at football games and appears also to be metallic. See column 2, lines 62 – 68. The components are either welded together

or joined by screws. Fenton is a structural support to be mounted to support various devices either vertically or horizontally. Screws and bolts are used to bring it together to support whatever is to be supported.

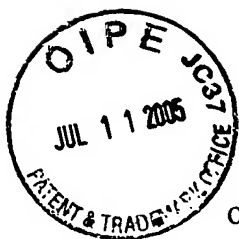
Applicant's invention is a knock-down sign support which is assembled and disassembled without the use of fastening devices such as bolts, screws or other type fasteners. Except for the supported sign, the holder is put together by an end of one member being inserted into an aperture in the joining member. They are held together by a frictional fit – the end of one member inserted in to the carefully sized aperture of the joined member. This process takes place in the total fabrication of the sign holder. The only exception is that the sign is engaged by the holder at the holder upper horizontal member by two rings or clips. No tools or instruments are used in the assembly or disassembly of the holder or the sign.

In the “Field of the Invention” first paragraph of the application, it reads “...invention relates to signs and, more particularly, to a *modular or knock-down*” sign for indoor or outdoor use. Figure 4 of the application shows a perspective view of the sign in the totally disassembled condition. No bolts, screws or fasteners are shown except for the clip rings that fasten the sign to the sign holder.

All of the claims are directed to a “...modular sign comprising...” A dictionary definition for *modular* includes “...constructed with standardized units

or dimensions for flexibility and variety in use.” A module can be “...any in a series of standardized units for use together.”

Applicant’s application clearly describes a modular or knock-down sign and holder. The Examiner is respectfully requested to reconsider her rejection of all claims or to provide some prior art relating to modular or knock-down signs similar to applicant’s invention.



The Examiner is respectfully requested to reconsider her earlier rejection  
of all claims.

Respectfully submitted,

*Charles Y. Lackey*

Charles Y. Lackey

Date: 7-5-2005